National Coalition of Food Importing Associations

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Dockets Management Branch (HFA-305)
Food and Drug Administration
Department of Health and Human Resources
5630 Fishers Lane
Room 1061
Rockville, MD 20852

Re: Docket No. 02N-0276 – Comments On Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002

Dear Sir/Madam:

The National Coalition of Food Importing Associations (NCFIA or "the coalition") is pleased to submit comments to the Food and Drug Administration (FDA) on the FDA's notice of proposed rulemaking, Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, 68 Fed. Reg. 5377 (Feb. 3, 2003) (hereinafter "proposed rule" or "Facilities Registration Proposed Rule").

NCFIA is a coalition of trade associations that represent different segments of the food importing community. Members of NCFIA include the following associations: American Spice Trade Association, Cheese Importers Association of America, Association of Food Industries, The Cocoa Merchants' Association of America, and the National Fisheries Institute. Companies belonging to NCFIA members annually import over $13.5 billion in food products.

NCFIA commends FDA for working so quickly to implement the provisions of the Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act). Further, NCFIA shares the agency's goals of assuring that the United States' food supply is and remains safe and wholesome.

NCFIA joins in the comments of other associations on the Facility Registration Proposed Rule, including the National Association of Food Processors and the Grocery Manufacturers of America. NCFIA specifically joins in the comments of those that state FDA should, among other things:

- Clarify the proposed exemption for fishing vessels,
- Exempt trucks, trailers, shipping containers, and rail cars from the definition of "mobile facility";

- Exempt from registration temporary storage locations and staging areas for consolidation of product into shipping containers;
- Limit the amount of information FDA is requiring to be consistent with the Bioterrorism Act;
- Eliminate the requirement of providing product categories
- Limit the number and type of updates that must be made within 30 days;
- Clarify the requirements regarding identification of a U.S. agent for foreign facilities; and
- Assure security of submitted data.

NCFIA thanks FDA for this opportunity to comment. NCFIA and its members are available to assist FDA in the smooth implementation of this new and challenging requirement.

Sincerely,

Richard H. Koby /RP

Richard H. Koby, Esq.
National Coalition of Food Importing Associations